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10 *Attorneys for Defendant*  
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11  
12 IN THE UNITED STATES DISTRICT COURT  
13 FOR THE DISTRICT OF ARIZONA

14 Laney Sweet, et al.,  
15 Plaintiffs,  
16 v.  
17 City of Mesa, et al.,  
18 Defendants.

NO. CV-17-00152-PHX-GMS  
**LEAD CASE**

**CONSOLIDATED WITH:**  
No. CV-17-00715-PHX-GMS

**MOTION TO SEAL DEFENDANTS’  
JOINT NOTICE OF SWEET  
PLAINTIFFS’ EXTRAJUDICIAL  
STATEMENTS**

20 Grady Shaver, et al.  
21 Plaintiffs,  
22 v.  
23 City of Mesa, et al.,  
24 Defendants.

26 Pursuant to LRCiv 5.6(b), Defendants move to file under seal their Joint Notice of  
27 Sweet Plaintiffs’ Extrajudicial Statements and exhibits (“Joint Notice”).  
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1           The Court entered a Protective Order on January 5, 2018 (Doc. 111), which  
2 allowed the parties to designate certain documents and portions of depositions as  
3 confidential.

4           Documents to be deemed “confidential” under the Protective Order include  
5 “private information wherein there exists a reasonable expectation of privacy.” The  
6 Confidential designation applies to the documents themselves and any documents that  
7 describe the contents of the same. Pursuant to the Protective Order, documents and  
8 portions of depositions that are designated as confidential must not be made available to  
9 parties other than the Court, a named party, counsel of record and their staff, expert  
10 witnesses and consultants who have signed an agreement to abide by the Protective  
11 Order, and court reporters that are transcribing depositions.

12           The Joint Notice refers to and includes documents that have been designated as  
13 Confidential. Moreover, the Joint Notice highlights extrajudicial statements that  
14 Defendants believe violate L.R.Civ. 83.8(a) and will interfere with a fair trial. Filing  
15 such statements in a public filing would only further their improper purpose.

16           For the foregoing reasons, Defendants move this Court for leave to file the Joint  
17 Notice of Sweet Plaintiffs’ Extrajudicial Statements and exhibits under seal.

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1 Respectfully Submitted this 10th day of June 2020.

2 **JBELANGER LAW PLLC**

3 /s/ James J. Belanger  
4 James J. Belanger

5 /s/ Spencer G. Scharff  
6 Spencer G. Scharff  
7 **SCHARFF PLLC**

8 *Attorneys for Defendant Charles Langley*

9 **WIENEKE LAW GROUP, PLC**

10 /s/ Christina Retts (with permission)  
11 Kathleen L. Wieneke  
12 Christina Retts

13 *Attorneys for Defendants City of Mesa, Brian  
14 Elmore, Christopher Doane, and Bryan  
15 Cochran*

16 **O'CONNOR & DYET, P.C.**

17 /s/ Karen Stillwell (with permission)  
18 Daniel J. O'Connor, Jr.  
19 Karen Stillwell

20 *Attorneys for Defendants Phillip Brailsford and  
21 Corrine Brailsford*

22 **JONES SKELTON HOCHULI, P.L.C.**

23 /s/ John T. Masterson (with permission)  
24 John T. Masterson  
25 Joseph J. Popolizio

26 *Attorneys for Defendant Richard Gomez*

**CERTIFICATE OF SERVICE**

I hereby certify that on June 10, 2020, I electronically transmitted the above document to the Clerk’s office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to all CM/ECF registrants.

/s/ Spencer G. Scharff

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